IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT

JODHPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 4030/2005

Anil Kumar
Vs.
State of Rajasthan and Ors.

Date of Order : 16/04/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. D.S.Sodha for the petitioner.
Mrs.Vidhyawati Bora, Assistant G.A. for the respondents.

BY THE COURT:-

By the instant writ petition under Article 226 of the Constitution of India, the petitioner seeks appointment on the post of Jaldhari (Class IV employee).

I have heard learned counsel for the parties.

The petitioner was offered appointment on compassionate ground on the death of his father Shiv Lal on the post of Jalwahak. Various reminders were sent to the petitioner to join his duties on the post of Jalwahak. The post of Jalwahak and Jaldhari are the equal posts as both posts are carrying the salary applicable to the Class IV employees. The petitioner by

the instant writ petition seeks a direction to give him appointment on the post of Jaldhari as against the appointment given to him on the post of Jalwahak. The respondents in their reply to the writ petition submitted that there is no sanctioned post of Jaldhari and since Jaldhari and Jalwahak are equal posts and carries the pay scale of Class IV employee, therefore, the petitioner has not been discriminated. Be that as it may, the compassionate appointment to the petitioner on a suitable post to his qualification has been provided. The post of Jaldhari cannot be claimed as a matter of right by the petitioner. The appointment on compassionate ground can only be sought to meet the harness which has already been provided.

In the circumstances, therefore, no case for interference is made out. The writ petition is dismissed. No order as to costs.

(H.R.PANWAR),J.

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